THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 22316 of 2006

Dated: 09.03.2007

Between:

S. Ramakrishna.

.... PETITIONER

AND

M/s. APEPDC Ltd and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 22316 of 2006

ORDER

The main grievance of the petitioner in this writ petition is that the respondent-Organization is not releasing his retrial benefits on the ground that it has received twelve attachment warrants from different Civil Courts for attachment of his retrial benefits subject to Section 60 C.P.C. Hence, he filed the present writ petition.

2. The main contention of the learned counsel for the petitioner is that the amounts, which are sought to be attached, are not attachable under the provisions of Section 60 C.P.C, and therefore, he sought to vacate the attachment orders passed by the different Courts.

3. The respondent-Organization filed counter affidavit. Reiterating the counter averments, the learned Standing Counsel for the respondents submits that as many as twelve attachment orders were received from different Civil Courts to the tune of Rs.13,39,531/-. He further submits that as per the legal opinion, gratuity and pension arrears were paid to the petitioner and with regard to the rest of the amounts, the respondent-Organization is waiting for necessary direction from the Courts concerned.

4. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-Organization.

5. Having regard to the fact that as many as twelve attachment orders are pending against the petitioner for attachment of his retrial benefits before the various Courts, and since it is the contention of the petitioner that the amounts which are under attachment are not attachable under the provisions of Section 60 C.P.C., he is at liberty to approach the Civil Courts concerns and seek vacation of the attachment orders.

6. With the above observation, the Writ Petition is dismissed. No costs.

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N.V. RAMANA, J.

Date: 09.03.2007

Note:
CC by one week.
(Bo)
sj/nsr